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3 UNITED STATES DISTRICT COURT
4 DISTRICT OF NEVADA
5

6 UNITED STATES OF AMERICA,
7
8 v.
9 BRETT ALAN MILLER,
10 Defendant.

Case No. 3:15-cr-00047-HDM-WGC

ORDER

11 On September 27, 2019, the Federal Public Defender was
12 appointed to represent the defendant to determine whether he may
13 qualify for relief under *Rehaif v. United States*, 139 S. Ct. 2191
14 (2019), or *United States v. Davis*, 139 S. Ct. 2319 (2019). The
15 FPD now moves to withdraw from representation due to a conflict
16 and seeks appointment of new counsel for the defendant pursuant to
17 the Criminal Justice Act of 1964, 18 U.S.C. § 3006A.

18 The FPD's motion to withdraw (ECF No. 35) is GRANTED, and the
19 FPD is hereby withdrawn from representation of the defendant in
20 this case. The defendant will be appointed new counsel for the
21 limited purpose of evaluating his eligibility for relief under
22 either or both *Rehaif*, 139 S. Ct. 2191 and *Davis*, 139 S. Ct. 2319
23 by way of separate order.

24 IT IS SO ORDERED.

25 DATED: This 10th day of February, 2020.

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27 _____
28 UNITED STATES DISTRICT JUDGE